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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)**

Docket No.  
**EN9-99-069**

In Re Application Of: **Brocius et al.**

**FEB 15 2005**

Application No.  
**09/670,646**

Filing Date  
**09/27/2000**

Examiner  
**M. Lerner**

Customer No.  
**30743**

Group Art Unit  
**2654**

Confirmation No.  
**7162**

Invention: **EXPLICITLY REGISTERING MARKUP BASED ON VERBAL COMMANDS AND EXPLOITING  
AUDIO CONTEXT**

**COMMISSIONER FOR PATENTS:**

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **11/16/2004** finally rejecting Claim(s) **1, 2 and 11-13**.

The fee for this Notice of Appeal is: **\$500.00**

- ☐ A check in the amount of the fee is enclosed.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **09-0457**
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**



*Signature*

Dated: **February 15, 2005**

**Michael E. Whitham**  
**Reg. No. 32,635**

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CC:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*